

United States Senate
WASHINGTON, DC 20510

June 6, 2023

The Honorable Robert Storch
United States Department of Defense
Office of the Inspector General
4800 Mark Center Drive
Alexandria, VA 22350

Dear Inspector General Storch:

We write regarding the intentional leak of classified national defense information by Under Secretary of Defense for Policy Colin Kahl. It has come to our attention that, soon after the Chinese surveillance balloon was publicly revealed earlier this year, Under Secretary Kahl provided reporters with classified information regarding prior Chinese surveillance balloons. The selective leak falsely portrayed prior incursions as similar incidents and suggested that the previous administration was similarly ineffective in responding to known surveillance threats. In fact, it was later revealed that the prior incursions were not discovered at the time and leaders of the previous administration did not have an opportunity to respond to the threat. Nonetheless, Under Secretary Kahl's leak appears intended to distract from the Biden administration's own conduct by attacking political opponents. To date, we have received no indication that the materials leaked by Under Secretary Kahl were first declassified through the proper channels.

Intentionally leaking classified information is a violation of U.S. law, as well as a violation of the Classified Information Nondisclosure Agreement (SF-312) that Kahl signed. That agreement expressly contemplates the termination of a security clearance as a consequence of mishandling sensitive materials. Further, federal law provides serious penalties for intentionally mishandling classified information. For example, 18 U.S.C. § 793(d) provides for up to ten years in prison for willful unauthorized disclosure. Finally, other federal laws such as the Hatch Act also prohibit the use of one's official position in the executive branch for partisan political purposes.

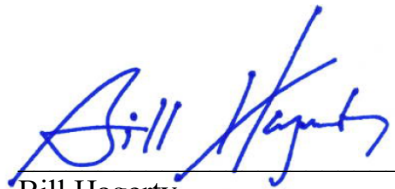
This is not the first time that Under Secretary Kahl has mishandled classified information.¹ Worse, Under Secretary Kahl's leak, like his previous leaks, appears to have been made for partisan political purposes. Given Under Secretary Kahl's repeated and blatant mishandling of classified information for political purposes, we urge you to investigate this conduct.

Thank you for your prompt attention to this important matter.

Sincerely,



Tom Cotton
United States Senator

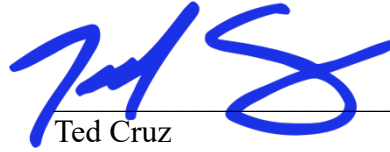


Bill Hagerty
United States Senator

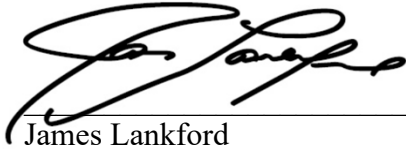
¹ See, Letter to the Honorable Christopher Wray from 18 United States Senators (April 13, 2021), <https://www.hagerty.senate.gov/wp-content/uploads/2021/04/20210413-B-Main-Letter-to-FBI-Director-Wray-Final-PDF.pdf>.



Ted Budd
United States Senator



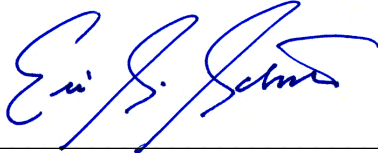
Ted Cruz
United States Senator



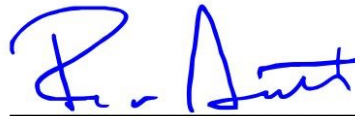
James Lankford
United States Senator



Roger Marshall, M.D.
United States Senator



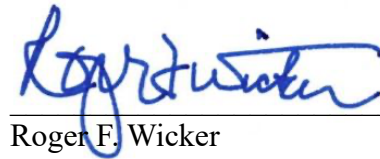
Eric Schmitt
United States Senator



Rick Scott
United States Senator



Thom Tillis
United States Senator



Roger F. Wicker
United States Senator